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Attorneys for Defendant OLEG TINKOV

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	NO. CR 19-00489 JST
	)	
Plaintiff,	)	<b>STIPULATION AND <del>[PROPOSED]</del> ORDER</b>
	)	<b>RE: UNSEALING DEFENDANT'S MOTION</b>
v.	)	<b>TO EXPEDITE SENTENCING AND JEREMY</b>
	)	<b>H. TEMKIN'S DECLARATION IN SUPPORT</b>
OLEG TINKOV	)	<b>OF MOTION TO EXPEDITE SENTENCING</b>
A/K/A/ OLEG TINKOFF,	)	
	)	Sentencing date: October 29, 2021
Defendant.	)	Time: 9:30 a.m.
	)	Via Zoom

Defendant Oleg Tinkov, by and through his retained counsel, the United States Attorney's Office  
 for the Northern District of California, by and through Assistant United States Attorney Michelle J.

STIP. & [PROPOSED] ORDER RE UNSEALING  
 CR-19-00489 JST

1 Kane, and the United States Department of Justice, Tax Division, by and through Trial Attorney Peter  
2 Anthony, hereby stipulate and agree to the following:

3 1. In Defendant Oleg Tinkov's Unopposed Administrative Motion to File Under Seal  
4 Exhibits to Defendant's Motion to Expedite Sentencing, filed on September 17, 2021 ("Administrative  
5 Motion to File Under Seal"), Mr. Tinkov moved the Court to seal Exhibits C – N appended to the  
6 Declaration of Jeremy H. Temkin in Support of Defendant's Motion to Expedite Sentencing (the  
7 "Temkin Declaration"). Exhibits C – L are expert medical reports, and Exhibit N is a letter from Mr.  
8 Tinkov's treating physician. Mr. Tinkov asked that these medical records be placed under seal because  
9 they contain private, confidential, and sensitive information. *United States v. Lopez-Perez*, No. 14-CR-  
10 45, 2021 WL 809396, at \*1 (E.D. Cal. Mar. 3, 2021); *see also United States v. Keys*, No. 16-CR-234,  
11 2020 WL 6700412, at \*7 (E.D. Cal. Mar. 15, 2021).

12 2. Exhibit M is an executed Plea Agreement between Mr. Tinkov and the United States that  
13 had at that time not yet been accepted by this Court. In his Administrative Motion to File Under Seal,  
14 Mr. Tinkov asked the Court to seal Exhibit M to the Temkin Declaration pending acceptance of the Plea  
15 Agreement by this Court. Mr. Tinkov acknowledged that there was a presumption that the Plea  
16 Agreement would be placed on the public docket when it was lodged with the Court. The Plea  
17 Agreement has indeed since been filed on the public docket on October 1, 2021 (ECF. No. 25).

18 3. In his Administrative Motion to File Under Seal, Mr. Tinkov did not request that the  
19 Court seal his Motion to Expedite Sentencing and the Temkin Declaration. Rather, those documents  
20 were filed under seal in the first instance so that Exhibits C –N to the Temkin Declaration could be filed  
21 under seal. The Government did not oppose Mr. Tinkov's Administrative Motion to File Under Seal.

22 4. The Court granted Mr. Tinkov's Administrative Motion to File Under Seal. At present,  
23 the Motion to Expedite Sentencing, the Temkin Declaration, and Exhibits C – L and N to the Temkin  
24 Declaration remain sealed.

25 5. The parties now jointly request that only the Motion to Expedite Sentencing, the Temkin  
26 Declaration and Exhibits A, B and M to the Temkin Declaration be unsealed. The parties jointly request  
27 that Exhibits C – L and N to the Temkin Declaration remain under seal.

1 IT IS SO STIPULATED.

2  
3 STEPHANIE M. HINDS  
Acting United States Attorney

4  
5 Dated: 10/19/2021

6 /s/  
MICHELLE J. KANE  
Assistant United States Attorney

7  
8  
9 Dated: 10/19/2021

10 /s/  
PETER ANTHONY  
Trial Attorney  
U.S. Department of Justice, Tax Division

11  
12 Dated: 10/19/2021

13 /s/  
JEREMY H. TEMKIN, Esq.  
Pro Hac Vice  
Attorney for Defendant

14  
15 Dated: 10/19/2021

16 /s/  
CHRISTOPHER MORVILLO, Esq.  
Pro Hac Vice  
Attorney for Defendant

17  
18 Dated: 10/19/2021

19 /s/  
ISMAIL RAMSEY, Esq.  
Attorney for Defendant

**[PROPOSED] ORDER**

The Court, having considered the Stipulation Regarding Unsealing Defendant Oleg Tinkov's Motion to Expedite Sentencing and the Temkin Declaration, and good cause appearing, hereby ORDERS that the Motion to Expedite Sentencing, the Temkin Declaration and Exhibit A, B and M to the Temkin Declaration be unsealed. The Court further ORDERS that Exhibits C – L and N of the Temkin Declaration will remain under seal.

IT IS SO ORDERED.

DATED: October 21, 2021

  
HON. JON S. TIGAR  
United States District Judge